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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,686	08/31/2001	Jeffrey T. Aguilera	10002629-1	2107

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
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EXAMINER	
CHUONG, TRUC T	

ART UNIT	PAPER NUMBER
2179	

MAIL DATE	DELIVERY MODE
05/02/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/944,686

Applicant(s)

AGUILERA ET AL.

Examiner

Truc T. Chuong

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-6,8-12,14 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-6, 8-12, 14, and 17-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This communication is responsive to the Amendment and Declaration, filed 04/09/07.

Claims 1-2, 4-6, 8-12, 14, and 17-19 are pending in this application. This is made non-final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

#### *Claim Rejections - 35 USC § 102*

1. Claims 1-2, 4-6, 8-12, 14, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Czyszczewski et al. ("Czyszczewski", U.S. Patent No. 6,867,876 B1).

As to claims 1, 10, and 14, Czyszczewski provides a user interface comprising a simultaneous display of a plurality of first selectable icons each representing a different duplicator (figs. 9A-C show plurality of icons each representing a different duplicator such as Copy/Printer, Fax, etc., and Czyszczewski also shows document(s) can be sent to multiple destinations such as printers, fax machines, etc., e.g., col. 7 lines 25-35) and a single second selectable icon that when selected actuates the duplicators represented by a selection more than one of the first selectable icons {After the destinations (printers, fax machines, and other output devices can be chosen at the same time) are selected by tabbing and selecting different icons such as Copy/Print, Fax, Email, etc., then the user can click Start button as shown in figs. 9A-B to send the print job to the different destinations, e.g., col. 12 lines 42-60, and figs. 9A-B}.

As to claim 2, Czyszczewski shows the user interface as defined in Claim 1, wherein: the simultaneous display of the selectable icons is a menu screen; and

each selectable icon is a menu item (Czyszczewski inherently shows this feature because Czyszczewski clearly mentions that there are more than one printers can be used as destinations, so in fig. 9A, there are not just B&W printer listed on the menu; there must be more printers on the menu. The similar example can be found in figs. 9B-C shown a list of fax machines/numbers to be selected).

As to claim 4, Czyszczewski teaches the user interface as defined in Claim 1, wherein the actuation of the plural duplicators occurs in a chronological sequence selected by the user on the UI (tabbing and selecting from one to another icons such as Copy/Print, Fax, Email, etc., then the user can click Start button as shown in figs. 9A-B to send the print job to the different destinations, e.g., col. 12 lines 42-60, and figs. 9A-B).

As to claim 5, Czyszczewski teaches the user interface as defined in claim 1, wherein the actuation of plural duplicators selected by a user on the UI occurs simultaneously (the destinations (printers, fax machines, and other output devices can be chosen at the same time) are selected by tabbing and selecting different icons such as Copy/Print, Fax, Email, etc., then the user can click Start button as shown in figs. 9A-B to send the print job to the different destinations, e.g., col. 12 lines 42-60, and figs. 9A-B).

As to claim 6, Czyszczewski teaches the user interface as defined in Claim 1, wherein the actuation of the plural duplicators selected by a user on the UI occurs chronologically, simultaneously, or both (tabbing and selecting from one to another icons such as Copy/Print, Fax, Email, etc., then the user can click Start button as shown in figs. 9A-B to send the print job to the different destinations, e.g., col. 12 lines 42-60, and figs. 9A-B).

Art Unit: 2179

As to claims 8-9, and 11-12, Czyszczewski teaches the user interface as defined in Claim 1, wherein each said duplicator has the capability of performing one or more functions selected from the group consisting of printing, magnetic tape recording (figs. 9A-C show plurality of icons each representing a different duplicator such as Copy/Printer, Fax, etc., and Czyszczewski also shows document(s) can be sent to multiple destinations such as printers, fax machines, etc., e.g., col. 7 lines 25-35), photo imaging substrate recording, recording an optically scanned image onto a magnetic media storage device, magneto optical writing, and electromagnetic radiation broadcasting transmission.

As to claims 17-18, they are method claims of system claims 8-9. Note the rejection of claims 8-9 above respectively.

As to claim 19, this is a computer program product claim of method claim 14. Note the rejection of claim 14 above.

### ***Response to Arguments***

2. Applicant's arguments filed 04/09/07 have been fully considered but they are not persuasive.

#### **Applicants argued and Examiner disagrees with the followings:**

In the final office action, mailed 09/22/06, the Examiner stated that the Exhibit 1 had not clearly shown in details how to solve the problem as stated in claims 1 and 14 of the application; and nowhere in the Exhibit 1 mentions a duplicator, selectable icons, and selectable menu items. Claims do not appear to be supported by the evidence provided in

claims. It means that there is not enough evidence to clearly prove the relationships between the Exhibit 1 and the Claims.

***In the Remarks and new submitted Declaration, Applicants have requested that the Examiner to explain how and why the HP Digital Workplace Copier mentioned in the Exhibit 1 is not a duplicator.***

If the Applicants have admitted that the printer shown in fig. 1 of the Exhibit represents a duplicator, the claims do not appear to be supported by the evidence provided of the Exhibit. It means that there is not enough evidence to clearly prove the relationships between the Exhibit 1 and the claims. According to fig. 1 of the Exhibit, there are a plurality of icons; however, each of the selectable icons does not represent a different duplicator as claimed by the Applicants. For example, claim 1 recites “a user interface comprising a simultaneous display of a plurality of first selectable icons each representing a different duplicator...”; from fig. 3 of the specification filed 08/31/01, at least two printers/duplicators are selected by selecting/clicking the checkbox/checkmark/radio buttons 304 and 320 (also see page 9, paragraph [0030] of the specification). According to fig. 1 of the Exhibit and fig. 3 of the specification, fig. 1 of the Exhibit has only one printer/duplicator to be selected in comparison with fig. 3 of the specification and claim 1, which clearly represents more than one printers/duplicators can be selected as destinations. Moreover, the paragraph above fig. 1 of the Exhibit clearly shows “the checkbox” or “this checkbox” that means there is only one printer/duplicator can be checked/unchecked/selected. Both the Exhibit (fig. 1) and the claimed invention representing in fig. 3 of the specification deal with the printer or printers but both of them

Art Unit: 2179

are not exactly having the similar printing functionalities; therefore, the Exhibit is not supporting the claimed invention (e.g., claim 1).

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Truc T. Chuong

04/27/07



**WEILUN LO**  
**SUPERVISORY PATENT EXAMINER**